

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-12206-2015

Date of decision: 29.5.2015

Karan Kapoor

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.DD Sharma, Advocate for the petitioner

Mr.Ashish Sanghi, DAG, Punjab

SNEH PRASHAR, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case First Information Report No.334 dated 8.10.2014 registered under Sections 406, 420 of the Indian Penal Code at Police Station Tripari Town, Patiala.

The accusation against the petitioner and co-accused Jassi Kaur is that they had received a sum of Rs.10,60,000/- from Sarabjit Kaur relative of complainant Satnam Singh for sending her abroad on tourist Visa, but neither they returned the amount, nor they sent her abroad.

Submissions made by Mr.DD Sharma, Advocate

representing the petitioner and Mr.Ashish Sanghi, Deputy Advocate

General, Punjab have been heard.

It was argued on behalf of the petitioner that in fact he had raised a loan of Rs.11,80,000/- from the complainant and had repaid a sum of Rs.5 lacs by selling his Skoda car. Thereafter, the petitioner falsely implicated him in the present case by concocting a false story. The company mentioned in the First Information Report i.e. M/s Elegance Consultant and Immigration Pvt. Ltd. had been closed way back in the year 2011. Submitting that neither any amount was received by the petitioner nor anything remains to be recovered from him, learned counsel prayed for grant of anticipatory bail to the petitioner.

The prayer was opposed by learned counsel appearing for the State. He submitted that money paid by the complainant is yet to be recovered and for that the custodial interrogation is necessary. He also submitted that the petitioner was running an Immigration Agency and also cheated several other innocent persons on the false promises.

Prima facie, perusal of the First Information Report reveals that there are specific allegations against the petitioner and one Jassi Kaur that they fraudulently cheated the complainant by inducing him to pay an amount of Rs.10,60,000/- for sending her sister Sarabjit Kaur abroad on work permit. Neither they returned the amount to the complainant, nor sent her sister as promised.

In view of the facts and circumstances of the case and without going into merits, in the considered opinion of this Court, no case for grant of anticipatory bail to the petitioner is made out and his petition is dismissed.

29.5.2015
gsv

(SNEH PRASHAR)
JUDGE